

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/7/2021

-----X
MOCKINGBIRD 38, LLC,

Plaintiff,

-v-

INTERNATIONAL BUSINESS TIMES, INC.,

Defendant.
-----X

21-cv-00283 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

It is hereby:

ORDERED that by October 21, 2021, Plaintiff must submit to the Court a statement either: (1) providing information regarding the date of first publication of the Foxx Photograph and/or why Plaintiff is entitled to an award of statutory damages and attorney's fees for infringement as to the Foxx Photograph in light of 17 U.S.C. § 412, or (2) withdrawing its request for statutory damages and attorney's fees under 17 U.S.C. §§ 504 and 505. By October 21, 2021, Plaintiff may also submit evidence that Plaintiff sent Defendant cease-and-desist letters and that Defendant did not comply with the cease-and-desist letters sent by Plaintiff.

SO ORDERED.

Dated: October 7, 2021
New York, New York



LEWIS J. LIMAN
United States District Judge